

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BOBBY FOREMAN,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

§

§ No. 411, 2011

§

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§

§ Court Below—Superior Court

§ of the State of Delaware, in and

§ for Sussex County

§ Cr. ID 0911006204

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Submitted: April 6, 2012

Decided: April 11, 2012

ORDER

This 11th day of April 2012, it appears to the Court that on March 22, 2012, the Chief Deputy Clerk issued a notice to appellant to show cause why this appeal should not be dismissed for his failure to diligently prosecute the appeal by not filing his opening brief and appendix in this matter. The appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs

Justice